

ESTTA Tracking number: **ESTTA717181**

Filing date: **12/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---|
| Proceeding | 91225113 |
| Party | Plaintiff RE/MAX, LLC |
| Correspondence Address | ASHLEY KRAUSE RE/MAX LLC 5075 S SYRACUSE ST DENVER, CO 80237-2712 UNITED STATES |
| Submission | Other Motions/Papers |
| Filer's Name | Ashley Krause |
| Filer's e-mail | akrause@remax.com, tmcorrespondence@remax.com |
| Signature | /ashleykrause/ |
| Date | 12/29/2015 |
| Attachments | Supplement to Notice of Inability to Serve Applicant.pdf(249093 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

RE/MAX, LLC,

Opposer,

v.

SHENZHEN REMAX CO., LIMITED,

Applicant.

Opposition No. 91225113

Mark: **R REMAX & Design**

Serial No. 86/602,454

Filing Date: 04/20/2015

Publication Date: 11/03/2015

SUPPLEMENT TO NOTICE OF INABILITY TO SERVE APPLICANT

Pursuant to 37 C.F.R. § 2.101(b) and TBMP § 309.02(c)(1), on December 8, 2015, Opposer RE/MAX, LLC (“Opposer”) submitted notification to the Board of the inability to serve Applicant at the correspondence address of record.

As stated in Opposer’s Notice of Inability to Serve Applicant, Opposer attempted to serve the Notice of Opposition (the “Notice”) to the original address, in China, for the correspondent of record for the Opposed Application. At the time Opposer filed its Notice of Inability to Serve Applicant, Opposer was still attempting to deliver the Notice to Applicant in China.

On December 18, 2015, Opposer was notified by Federal Express that it had successfully delivered the Notice to the following address in China:

3/F, Factory Block B1
Mingjun Industrial Park
Huarong Rd., Baoan Area
Shenzhen 518109, China

See Exhibit A (Federal Express tracking information).

For the convenience of the Board, Opposer provides the following updated summary of its efforts to serve the Notice:

| Address | Source of Address | Status/Result |
|---|---|---------------|
| 6640 Lusk Blvd. Suite A205A San Diego, CA 92121 | Change of Correspondence Address filed for Opposed Application | Undeliverable |
| Huaning Road Bao'an District Shenzhen 518109 China | Original Correspondent of Record for Opposed Application | Undeliverable |
| Liang Gong 10685-B Hazelhurst Dr. #14729 Houston, TX 77043 | Original Correspondent of Record for Related Application | Delivered |
| 1/F, B1 Building Mingjung Industrial Park Huarong Rd., Baoan Area Shenzhen 518109 China | Website located at www.iremax.hk , believed to be associated with Applicant. | Undeliverable |
| 3/F, Factory Block B1 Mingjun Industrial Park Huarong Rd., Baoan Area Shenzhen 518109 China | State Administration for Industry & Commerce of the People's Republic of China | Delivered |

Respectfully submitted this 29th day of December, 2015.

RE/MAX, LLC

By: 
Adam Lindquist Scoville
Ashley Krause
RE/MAX, LLC
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Denver, CO 80237
(303) 770-5531
ascoville@remax.com
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ATTORNEYS FOR OPPOSER

Exhibit A



FedEx® Tracking

774968245713

Ship date:

Thu 11/12/2015

DENVER, CO US



Delivered

Signed for by: S.LI LA

Actual delivery:

Pending

SHEN ZHEN CN

Travel History

| ▲ Date/Time | Activity | Location |
|--------------------------|---|---------------|
| ■ 12/18/2015 - Friday | | |
| 10:55 am | Delivered | SHEN ZHEN CN |
| 9:33 am | On FedEx vehicle for delivery | SHENZHEN CN |
| 9:21 am | At local FedEx facility | SHENZHEN CN |
| ■ 11/23/2015 - Monday | | |
| 10:56 pm | At local FedEx facility | SHENZHEN CN |
| ■ 11/21/2015 - Saturday | | |
| 9:51 pm | At local FedEx facility | SHENZHEN CN |
| ■ 11/20/2015 - Friday | | |
| 11:30 pm | At local FedEx facility | SHENZHEN CN |
| 5:26 pm | Delivery exception Incorrect address | SHENZHEN CN |
| 9:23 am | On FedEx vehicle for delivery | SHENZHEN CN |
| 9:21 am | At local FedEx facility | SHENZHEN CN |
| ■ 11/19/2015 - Thursday | | |
| 11:21 pm | At local FedEx facility | SHENZHEN CN |
| 4:00 pm | Delivery exception Customer not available or business closed | SHENZHEN CN |
| 3:45 pm | On FedEx vehicle for delivery | SHENZHEN CN |
| 2:05 pm | At local FedEx facility | SHENZHEN CN |
| ■ 11/18/2015 - Wednesday | | |
| 11:17 pm | At local FedEx facility | SHENZHEN CN |
| ■ 11/17/2015 - Tuesday | | |
| 10:44 pm | At local FedEx facility | SHENZHEN CN |
| ■ 11/16/2015 - Monday | | |
| 10:00 pm | At local FedEx facility | SHENZHEN CN |
| 10:00 am | Delivery exception Incorrect address | SHENZHEN CN |
| 9:19 am | On FedEx vehicle for delivery | SHENZHEN CN |
| 8:36 am | At local FedEx facility | SHENZHEN CN |
| 2:02 am | At destination sort facility | GUANGZHOU CN |
| ■ 11/15/2015 - Sunday | | |
| 5:24 pm | Departed FedEx location | GUANGZHOU CN |
| 5:24 pm | In transit Package available for clearance | GUANGZHOU CN |
| 5:24 pm | International shipment release - Import | GUANGZHOU CN |
| 1:37 am | Arrived at FedEx location | GUANGZHOU CN |
| ■ 11/13/2015 - Friday | | |
| 6:15 am | Departed FedEx location | MEMPHIS, TN |
| 1:54 am | In transit | MEMPHIS, TN |
| 12:22 am | Arrived at FedEx location | MEMPHIS, TN |
| ■ 11/12/2015 - Thursday | | |
| 7:30 pm | Left FedEx origin facility | ENGLEWOOD, CO |
| 5:36 pm | Shipment information sent to FedEx | |
| 5:08 pm | Picked up | ENGLEWOOD, CO |

Shipment Facts

| | | | |
|-----------------------|--------------------|--------------------------|---------------------------------------|
| Tracking number | 774968245713 | Service | FedEx International Priority |
| Door tag number | xxxx | Weight | 0.9 lbs / 0.41 kgs |
| Delivered To | Residence | Total pieces | 1 |
| Total shipment weight | 0.9 lbs / 0.41 kgs | Shipper reference | 9510/CASTRO |
| Packaging | FedEx Envelope | Special handling section | Deliver Weekday, Residential Delivery |

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